

**Iowa Department of Inspections and Appeals
Health Facilities Division
Adult Services Civil Penalty Citation**

Date: May 30, 2018
Program Name: SunnyBrook AL of Mt. Pleasant
Address: 1406 East Linden Drive Mt. Pleasant, IA 52641
Type of Action: investigations
Date(s) of Action: 2/28/2018 – 4/25/2018

State Rule #	State Rule	Amount of Civil Penalty
67.3(1)	<p><u>481-67.3 Tenant rights. All tenants have the following rights: 67.3(1) To be treated with consideration, respect, and full recognition of personal dignity and autonomy.</u></p> <p>Based on interviews, the program failed to ensure 7 of 12 tenants reviewed were treated with consideration, respect and dignity (Tenants #2, #4, #5, #6, #9, #10, #11 and #12). Findings follow:</p> <p>1. Interviews conducted throughout the investigation revealed 5 current staff, 1 former staff and 2 tenants with concerns regarding Staff A. These concerns included:</p> <p>On 3/5/18 at 12:20 PM Staff C reported Tenant #2 told her of being picked up out of bed by Staff A and held up with his/her legs dangling. Tenant #2 also reported Staff A made him/her walk too fast. Staff C stated Tenant #2 shook and became visibly upset when Staff A was around. Staff C also heard Staff A yell at Tenant #4 about not cooperating with his/her service plan. Staff A and Tenant #4 were in the front office. Staff C was approximately 75 feet away in the nearby dining room.</p> <p>On 3/5/18 at 10:32 AM Staff D reported being told by Tenant #2 he/she had been pulled out of bed and manhandled by Staff A. Staff D stated she witnessed Staff A walk with Tenant #2 to the dining room and heard Staff A say "Let's go" in a loud voice. Tenant #2 was shaking and out of breath when he/she arrived at the dining room. Staff D also reported Staff A yell at Tenant #4 in Staff A's office. Staff D heard this while sitting at a table in the dining room approximately 75 feet away.</p> <p>On 3/5/18 Staff F reported seeing Staff A pull Tenant #9 into a sitting position on the bed. Staff A then pulled Tenant #9 out of the bed and placed the tenant into a wheelchair. Staff F stated Tenant #9 was able to walk but Staff A did not wait for Tenant #9 to put his/her feet on the ground before the transfer occurred. Tenant #9 was upset as he/she wanted to remain in bed. Staff F stated Tenant #2 told her about Staff A pulling him/her out of bed by the arms.</p> <p>On 3/1/18 at 10:40 AM Staff H reported entering Tenant #2's apartment shortly after Staff A had been there. Tenant #2 was upset and reported Staff A had picked him/her up and his/her legs were dangling in the air.</p>	\$2000.00

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On 4/9/18 at 1:55 PM Staff L reported attending a tenant meeting with Staff A. Staff A raised her voice at a tenant when the tenant started revealing personal information. Staff L said Staff A did apologize to the tenant.

On 4/7/18 at 10:15 AM Staff U (a former employee) reported Tenant #5 did not like to bathe. Tenant #5 lived on the memory care unit. Staff U was in Tenant #5's apartment with Staff A when Staff A stated Tenant #5 needed a bath. Staff U reported Staff A forcibly removed Tenant #5's pants while Tenant #5 hit at Staff A. Staff A told Tenant #5, "You need to shower, you stink." Staff U reported the more Tenant #5 fought Staff A, the more Staff A manhandled the tenant. Staff A pulled up Tenant #5's shirt while Tenant #5 pulled it down. Staff U said Staff A finally took Tenant #5's shirt off. Tenant #5 then slapped Staff A.

On 4/18/18 at 1:30 PM Tenant #11 reported Staff A was rough and in a hurry when she dressed him/her. Tenant #11 said Staff A pulled on his/her arm to get him/her to move more quickly. Tenant #11 stated Staff A couldn't help it, it was just her way.

Staff A denied taking part in these incidents or having knowledge of them during an interview on 3/6/18 at 10:30 AM.

2. Other incidents reported included:

On 4/9/18 at 5:50 PM Staff O reported hearing Staff K berate Tenant #12. Tenant #12 was 98 years old, diagnosed with dementia and had a history of falls. Tenant #12 was told to get dressed on their own when Tenant #12 was physically and cognitively unable to do so. Staff O reported hearing Staff K tell Tenant #12 to sit on the toilet until he/she was finished. Tenant #12 got off of the toilet and was found by Staff B and Staff O in bed with feces on his/her hands.

On 4/16/18 at 3:25 PM Staff V reporting hearing Staff K repeatedly tell Tenant #5 to "Get out" of an apartment the tenant thought they lived in. Tenant #5 was diagnosed with dementia and was confused at the time.

On 3/6/18 at 8:45 AM Tenant #10 reported being showered by former Staff W. The tenant believed Staff W was angry because Tenant #10 had pushed his/her pendant too many times. Tenant #10 reported being screamed at by Staff W "for a while." Tenant #10 stated he/she was afraid during this event.

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<p>52.2(2)a</p>	<p><u>52.2(2) Reporting suspected dependent adult abuse in facilities or programs.</u> <u>a. If a staff member or employee is required to make a report pursuant to this rule, the staff member or employee shall immediately notify the person in charge or the person's designated agent who shall then notify the department within 24 hours of such notification or the next business day.</u></p> <p>Based on interview and record review the Program failed to report an allegation of suspected dependent adult abuse to the Department as required. Findings include:</p> <p>During an interview on 4/10/18 at 2:35 PM, the Health Services Director reported hearing Staff K berate Tenant #12 two times on 4/5/18. She stated she reported these incidents to the Executive Director on 4/5/18.</p> <p>When interviewed on 4/10/18 at 12:30 PM, Staff O reported she entered Tenant #12's apartment on 4/5/18 at approximately 1:00 PM and saw both the tenant and Staff K in the bathroom. Tenant #12 was crying as Staff K yelled at him/her to stay on the toilet until finished as well as telling the tenant he/she had hurt her (Staff K's) back. Staff O described the incident as "the worst thing she had ever seen." Staff O reported the incident to the Executive Director on 4/6/18. Staff O reported the Executive Director responded, "I don't have time for that. I have to work the floor." Staff O reapproached the Executive Director with her concerns on 4/9/18.</p> <p>On 4/17/18 at 11:50 AM, the Executive Director confirmed she had been made aware of the situation involving Staff K and Tenant #12 on 4/5/18, 4/6/18 and 4/9/18. The Executive Director stated she believed Staff K was acting in an emotional manner due to back pain but that her intentions were not malicious. For this reason, she did not report the suspected mistreatment to the Department.</p> <p>During an interview on 4/12/18 at 10:55 AM the Marketing and Operations Specialist confirmed these concerns were not properly reported and reported the incident to the Department herself.</p>	<p>\$500.00</p>
<p>52.2(2)b</p>	<p><u>52.2(2) Reporting suspected dependent adult abuse in facilities or programs.</u> <u>b. If the person in charge is the alleged dependent adult abuser, the staff member shall directly report the abuse to the department within 24 hours or the next business day.</u></p> <p>Based on interviews, Program staff failed to report suspected dependent adult abuse to the Department as required. Findings follow:</p>	<p>\$500.00</p>

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	<p>An interview conducted with Staff C on 3/5/18 at 12:20 PM revealed she believed Tenant #2 had been abused. Staff C said Tenant #2 had reported being picked up out of bed by Staff A (the former Executive Director) with his/her legs dangling. Staff C did not report this suspected abuse to the Department.</p> <p>An interview conducted with Staff D on 3/5/18 at 10:32 AM revealed she believed Tenant #2 had been abused. Staff D recounted an incident in which Tenant #2 reported being pulled out of bed and "manhandled" by Staff A. Staff D did not report this suspected abuse to the Department.</p> <p>An interview conducted with Staff F on 3/5/18 revealed she believed tenants at the program had been abused. Staff F reported being told by Tenant #2 that Staff A had pulled him/her out of bed by the arms leaving his/her feet dangling. Staff F did not report any suspected abuse to the Department.</p> <p>An interview conducted with Staff U on 4/17/18 at 10:15 AM revealed she observed an event she considered to be abusive. Staff U was in Tenant #5's apartment when Staff A forcibly undressed Tenant #5 in order to give him/her a bath. Staff U stated Tenant #5 had refused to bathe for many days. Staff U reported Staff A pulled down Tenant #5's pants while Tenant #5 was pushing the staff's hands away. Staff A then removed Tenant #5's shirt when Tenant #5 kept trying to pull the shirt down. Staff U did not report this suspected abuse to the Department.</p> <p>During an interview on 4/25/18 at 9:00 AM, the Marketing and Operations Specialist confirmed these concerns were not properly reported.</p>	
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